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MEYER & LOVEJOYUNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office  
ASSISTANT SECRETARY AND COMMISSIONER  
OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

DECEMBER 10, 1997

PTAS

FLIESLER, DUBB, MEYER & LOVEJOY  
BRIAN L. MARCUS  
FOUR EMBARCADERO CENTER, SUITE 400  
SAN FRANCISCO, CA 94111

\*100579708A\*

CORRECTED  
NOTICEUNITED STATES PATENT AND TRADEMARK OFFICE  
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, NORTH TOWER BUILDING, SUITE 10C35, WASHINGTON, D.C. 20231.

RECORDATION DATE: 09/22/1997

REEL/FRAME: 8714/0040  
NUMBER OF PAGES: 4

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

## ASSIGNOR:

PHIPPS, RICHARD D.

DOC DATE: 09/15/1997

## ASSIGNEE:

GARDINER, BARRY N.  
13 CHARLES HILL ROAD  
ORINDA, CALIFORNIA 94563

## ASSIGNEE:

MCDONALD, PAUL T.  
13337 CAMPUS DRIVE  
OAKLAND, CALIFORNIA 94619SERIAL NUMBER: 08781579  
PATENT NUMBER:FILING DATE: 01/09/1997  
ISSUE DATE:

GONR 9003

B/M

ced

8714/0040 PAGE 2

MARGARET LASALLE, PARALEGAL  
ASSIGNMENT DIVISION  
OFFICE OF PUBLIC RECORDS



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12-08-1997

22-1997

U.S. DEPARTMENT OF COMMERCE  
Patent and Trademark Office

MR9-22-97



To the Honorable Commissioner of

100579708

original documents or copy thereof.

1. Name of conveying party:  
Richard D. Phipps

Additional name(s) of conveying party(ies) attached? ☐ Yes ☒ No

3. Nature of conveyance:

☒ Assignment ☐ Merger  
☐ Security Agreement ☐ Change of Name  
☐ Other \_\_\_\_\_

Execution Date: September 15, 1997

2. Name and address of receiving parties:

Name: Barry N. GardinerAddress: 13 Charles Hill RoadOrinda, CA 94563Additional name(s) & address(es) attached? ☐ Yes ☒ No

4. Application number or patent number:

A. Patent Application No.: 08/781,579

Title: SUTURED STAPLE SURGICAL  
FASTENERS, INSTRUMENTS, AND METHODS  
FOR MINIMALLY INVASIVE VASCULAR AND  
ENDOSCOPIC SURGERY

Filed Date: January 9, 1997

B. Patent No(s):

Additional numbers attached? ☐ Yes ☒ NoIf this document is being filed together with a new application, the execution date of the application is: 77

5. Name and address of party to whom  
correspondence concerning document should  
be mailed:

Name: Brian I. Marcus, Esq.Address: Fliersler, Dubb, Meyer & LovejoyFour Embarcadero Center, Suite 400San Francisco, CA 94111Telephone: (415) 362-3800

6. Total Number of applications and patents  
involved: 1 X \$40.00 each

7. Total fee (37 CFR 3.41).....\$ 40.00

☒ Check Enclosed

8. Fee Authorization. Authorization is given to charge  
any additional fees or credit any  
overpayment to Deposit Account  
No. 06-1325.

Copy. (A duplicate copy of this authorization is  
not enclosed.)

9. Statement and signature.

To the best of my knowledge and belief, the foregoing information is true and correct and any attached  
copy is a true copy of the original document.

Brian I. Marcus  
Attorney (Reg. No.: 34,511)

Signature

September 17, 1997  
Date

10. Total number of pages to be recorded: 4. (2 page cover sheet and 2 page document).

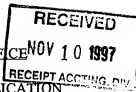
2. Name and address of receiving parties (cont'd):

Name: Paul T. McDonald

Address: 13337 Campus Drive

Oakland, CA 94619

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



In re Application )  
 Inventors: Barry N. Gardiner et al. )  
 SC/Serial No.: 08/781,579 )  
 Filed: January 9, 1997 )  
 Title: SUTURED STAPLE SURGICAL FASTENERS, )  
 INSTRUMENTS, AND METHODS FOR )  
 MINIMALLY INVASIVE VASCULAR )  
 AND ENDOSCOPIC SURGERY )

PATENT APPLICATION

CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.8

I hereby certify that this correspondence is being deposited in the United States Postal Service with sufficient postage as first class mail in an envelope addressed to Assistant Commissioner for Patents, Washington, D.C. 20231, on November 5, 1997.

*Brian I. Marcus* (Attorney Signature)  
 Brian I. Marcus, Reg. No. 34,511  
 Signature Date: November 5, 1997

REQUEST FOR CORRECTION OF NOTICE OF  
 RECORDATION OF ASSIGNMENT DOCUMENT

U.S. Patent and Trademark Office  
 Assignment Division  
 Box ASSIGNMENTS  
 North Tower Building, Suite 10C35  
 Washington, D.C. 20231

Dear Sir/Madam:

On November 3, 1997 we received the enclosed Notice of Recordation of Assignment Document which lists the assignee as Barry N. Gardiner. However, as indicated in the Assignment and Assignment Recordation Form Cover Sheet filed on September 17, 1997 there are two assignees: Barry N. Gardiner and Paul T. McDonald.

Please correct the Notice of Recordation to include both of the assignees.

There is no fee believed due with this communication. The Commissioner is hereby authorized to charge underpayment of any fees associated with this communication to Deposit Account No. 06-1325. A duplicate copy of this authorization is enclosed.

Respectfully submitted,

Date: November 5, 1997

By: 

Brian I. Marcus  
Reg. No. 34,511

FLIESLER, DUBB, MEYER & LOVEJOY LLP  
Four Embarcadero Center, Suite 400  
San Francisco, California 94111-4156  
Telephone: (415) 362-3800

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



In re Application	)	<u>PATENT APPLICATION</u>
Inventors:	)	Barry N. Gardiner et al.
SC/Serial No.:	)	08/781,579
Filed:	)	January 9, 1997
Title:	)	SUTURED STAPLE SURGICAL FASTENERS,
	)	INSTRUMENTS, AND METHODS FOR
	)	MINIMALLY INVASIVE VASCULAR
	)	AND ENDOSCOPIC SURGERY

CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.8

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Brian I. Marcus, Reg. No. 34,511

Signature Date: November 5, 1997

(Attorney Signature)

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U.S. Patent and Trademark Office  
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Respectfully submitted,

Date: November 5, 1997

By: 

Brian I. Marcus

Reg. No. 34,511

FLIESLER, DUBB, MEYER & LOVEJOY LLP  
Four Embarcadero Center, Suite 400  
San Francisco, California 94111-4156  
Telephone: (415) 362-3800



## ASSIGNMENT

WHEREAS, the undersigned, Richard D. Phipps, a resident of 790 La Crosse Drive, Morgan Hill, California (hereinafter termed "Assignor"), is a co-inventor of certain new and useful improvements in:

### **SUTURED STAPLE SURGICAL FASTENERS, INSTRUMENTS, AND METHODS FOR MINIMALLY INVASIVE VASCULAR AND ENDOSCOPIC SURGERY**

and has executed a declaration or oath for an application for a United States patent disclosing and identifying the invention:

1. \_\_\_ On the \_\_\_ day of \_\_\_\_, 19\_\_;

Or

2. ☒ Said application having SC/Serial Number 08/781,579 and filed on the 9th day of January, 1997.

WHEREAS Barry N. Gardiner, a resident of 13 Charles Hill Road, Orinda, California, and Paul T. McDonald, a resident of 13337 Campus Drive, Oakland, California (hereinafter termed "Assignees") wish to jointly acquire the entire right, title and interest in and to said application and the invention disclosed therein, and in and to all embodiments of the invention, heretofore conceived, made or discovered by said Assignor (all collectively hereinafter termed "said invention"), and in and to any and all patents, certificates of invention and other forms of protection thereon (hereinafter termed "patents") applied for or granted in the United States and/or other countries.

NOW THEREFORE, for good and valuable consideration acknowledged by said Assignor to have been received in full from said Assignees:

1. Said Assignor does hereby sell, assign, transfer and convey unto said Assignees, the entire right, title and interest (a) in and to said application and said invention; (b) in and to all rights to apply in any and all countries of the world for patents, certificates of inventions or other governmental grants on said invention, including the right to apply for patents pursuant to the International Convention for the Protection of Industrial Property or pursuant to any other convention, treaty, agreement or understanding; (c) in and to any and all applications filed and any and all patents, certificates of inventions or other governmental grants granted on said invention in the United States or any other country, including each and every application filed and each and every patent granted on any application which is a division, substitution, or continuation of any of said applications; (d) in and to each and every reissue or extension of any of said patents; and (e) in and to each and every patent claim resulting from a reexamination certificate for any and all of said patents.

2. Said Assignor hereby covenants and agrees to cooperate with said Assignees to enable said Assignees to enjoy to the fullest extent the right, title and interest herein conveyed in the United States and other countries. Such cooperation by said Assignor shall include

prompt production of pertinent facts and documents, giving of testimony, executing of petitions, oaths, specifications, declarations or other papers, and other assistance all to the extent deemed necessary or desirable by said Assignees (a) for perfecting in said Assignees the right, title and interest herein conveyed; (b) for complying with any duty of disclosure; (c) for prosecuting any of said applications; (d) for filing and prosecuting substitute, divisional, continuing or additional applications covering said invention; (e) for filing and prosecuting applications for reissue of any of said patents; (f) for interference or other priority proceedings involving said invention; and (g) for legal proceedings involving said invention and any applications therefor and any patents granted thereon, including without limitation opposition proceedings, cancellation proceedings, priority contests, public use proceedings, reexamination proceedings, compulsory licensing proceedings, infringement actions and court actions; provided, however, that the expense incurred by said Assignor in providing such cooperation shall be paid for by said Assignees.

3. The terms and covenants of this Assignment shall inure to the benefit of said Assignees, their successors, assigns and other legal representatives, and shall be binding upon said Assignor, said Assignor's heirs, legal representatives and assigns.

4. Said Assignor hereby warrants and represents that said Assignor has not entered and will not enter into any assignment, contract, or understanding in conflict herewith.

IN WITNESS WHEREOF, the said Assignor has executed and delivered this instrument to said Assignees on the date of acknowledgment before the Notary Public as given below.

  
(Assignor's Signature)

State of CALIFORNIA )

County of SANTA CLARA )

On 15 SEPTEMBER '97 before me, MARY BETH BROWN, Notary Public  
RICHARD D. (name and title of officer)

personally appeared PHIPPS, personally known to me (~~or proved to me on the basis of satisfactory evidence~~) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

Signature Mary Beth Brown



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MAY 27 1999

MORRISON & FOERSTER



UNITED STATES DEPARTMENT OF COMMERCE

Patent and Trademark Office

ASSISTANT SECRETARY AND COMMISSIONER  
OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

MAY 18, 1999

MORRISON & FOERSTER LLP  
HARRY J. MACEY  
755 PAGE MILL ROAD  
PALO ALTO, CA 94304-1018



\*100974446A\*

UNITED STATES PATENT AND TRADEMARK OFFICE  
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

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PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY, SUITE 320, WASHINGTON, D.C. 20231.

RECORDATION DATE: 02/22/1999

REEL/FRAME: 9782/0137  
NUMBER OF PAGES: 4

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:

GARDINER, BARRY N.

DOC DATE: 10/31/1997

ASSIGNOR:

MCDONALD, PAUL T.

DOC DATE: 10/31/1997

ASSIGNEE:

ELECTIVE VASCULAR INTERVENTIONS,  
INC.  
2500 FABER PLACE, SUITE 290  
BUILDING 2  
PALO ALTO, CALIFORNIA 94303

SERIAL NUMBER: 08781579

PATENT NUMBER:

FILING DATE: 01/09/1997

ISSUE DATE:

SHARON LATIMER, EXAMINER  
ASSIGNMENT DIVISION  
OFFICE OF PUBLIC RECORDS



03-01-1999

DEPARTMENT OF COMMERCE

REC

Patent and Trademark Office  
Docket No. 388402000900

100974446

2.22.99

To the Commissioner of Patents and Trademarks: Please record the attached original documents or copy thereof.

1. Name of conveying parties:  
Barry N. Gardiner and Paul T. McDonald

☒ Individuals ☐ Association  
☐ General Partnership ☐ Limited Partnership  
☐ Corporation-State ☐ Other

Additional name(s) of conveying party(ies) attached? ☐ Yes ☒ No

3. Nature of conveyance:

☒ Assignment ☐ Merger  
☐ Security Agreement ☐ Change of Name  
☐ Other:

Execution Date: October 31, 1997

2. Name and address of receiving party(ies):

Name: Elective Vascular Interventions, Inc.  
Internal Address: Building 2  
Street Address: 2500 Faber Place, Suite 290  
City: Palo Alto, State: CA ZIP: 94303

Additional name(s) & address(es) attached? ☐ Yes ☒ No

4. Application number(s) or patent number(s):

If this document is being filed together with a new application, the execution date of the application is:

A. Patent Application No.(s)  
08/781,579

B. Patent No.(s)

Additional numbers attached? ☐ Yes ☒ No

5. Name and address of party to whom correspondence concerning document should be mailed:

Harry J. Macey  
Morrison & Foerster LLP  
755 Page Mill Road  
Palo Alto, California 94304-1018

6. Total number of applications and patents involved: One

7. Total fee (37 C.F.R. § 3.41): \$40.00

☒ Enclosed  
☐ Authorized to be charged to deposit account, referencing  
Attorney Docket 388402000900

8. Deposit account number: 03-1952

The Commissioner is hereby authorized to charge any fees under 37 C.F.R. § 1.21 that may be required by this paper, or to credit any overpayment to Deposit Account No. 03-1952**DO NOT USE THIS SPACE**

9. Statement and signature.

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

Name: Harry J. Macey  
Registration No: 32,818

Signature

2-17-99

Total number of pages comprising cover sheet, attachments and document: 4

40.00

Mail documents to be recorded with required cover sheet information to:  
U.S. Patent and Trademark Office  
Office of Public Records  
Box Assignments  
Crystal Gateway 4, Room 335  
Washington, D.C. 20231

02/26/1999 JMW/KLS 0000057 08/01/579

01 FC:381

EXHIBIT A

ASSIGNMENT  
TO  
ELECTIVE VASCULAR INTERVENTIONS, INC.

In exchange for  
(the "Company")  
Elective Vascular Interventions, Inc.  
the undersigned hereby assigns to the Company all of the right, title and interest of the undersigned  
in and to any and all  
patents and patent applications relating to surgical fasteners and instruments for the  
deployment of surgical fasteners, including but not limited to

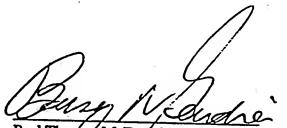
(ii) patent applications:

Filed Patent Application entitled "Sutured Staple Surgical Fasteners, Instruments and  
Methods for Minimally Invasive Vascular and Endoscopic Surgery", SC/Serial No. 08/781,579, filed  
January 9, 1997 (Attorney Ref No. GDNR 9003). Preliminary Amendment filed on August 28,  
1997.

With respect to

patents and patent applications assigned by the undersigned to the Company hereunder, the undersigned will assist the Company in any reasonable manner to obtain for the Company's benefit patents in any and all countries and the undersigned will execute, when requested, patent applications and assignments thereof to the Company or persons designated by it, and any other lawful documents deemed necessary by the Company to carry out the purposes of this Assignment. The undersigned will further assist the Company in every way to enforce any patents obtained, including without limitation, testifying in any suit or proceeding involving any of said patents or by executing any documents deemed necessary by the Company.


Dated: October 31, 1997

  
Paul Thomas McDonald, M.D.  
BARRY N. GARDNER

With respect to

rights and patent applications assigned by the undersigned to the Company hereunder, the undersigned will assist the Company in any reasonable manner to obtain for the Company's benefit patents in any and all countries and the undersigned will execute, when requested, patent applications and assignments thereof to the Company or persons designated by it, and any other lawful documents deemed necessary by the Company to carry out the purposes of this assignment. The undersigned will further assist the Company in every way to enforce any patents obtained, including without limitation, testifying in any suit or proceeding involving any of said patents or by executing any documents deemed necessary to the Company.

Dated: October 31, 1997

  
Barry N. Gardiner, M.D.

PAUL T. McDermott





**UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office**

ASSISTANT SECRETARY AND COMMISSIONER  
OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

DECEMBER 27, 1999

PTAS

MORRISON & FOERSTER LLP  
HARRY MACEY  
755 PAGE MILL ROAD  
PALO ALTO, CA 94304-1018



\*101163558A\*

**UNITED STATES PATENT AND TRADEMARK OFFICE  
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT**

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RECORDATION DATE: 10/04/1999

REEL/FRAME: 010283/0158  
NUMBER OF PAGES: 4

BRIEF: CHANGE OF NAME (SEE DOCUMENT FOR DETAILS).

**ASSIGNOR:**

VASCULAR INTERVENTIONS, INC.

DOC DATE: 09/24/1999

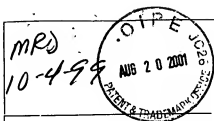
**ASSIGNEE:**

COALSCENT SURGICAL, INC.  
559 EAST WEDDELL DRIVE  
SUNNYVALE, CALIFORNIA 94089

SERIAL NUMBER: 08781579  
PATENT NUMBER:

FILING DATE: 01/09/1997  
ISSUE DATE:

SHIRLIE SIMON, EXAMINER  
ASSIGNMENT DIVISION  
OFFICE OF PUBLIC RECORDS



10-07-1999

U.S. DEPARTMENT OF COMMERCE



SHEET

101163558

Patent and Trademark Office  
Docket No. 388402000900

OCT

To the Commissioner of Patents and Trademarks: Please record the attached original documents or copy thereof.

1. Name of conveying party(ies):  
Vascular Interventions, Inc.

☐ Individual(s)      ☐ Association  
☐ General Partnership      ☐ Limited Partnership  
☒ Corporation-State      ☐ Other

Additional name(s) of conveying party(ies) attached? ☐ Yes ☒ No

3. Nature of conveyance:

☐ Assignment      ☐ Merger  
☐ Security Agreement      ☒ Change of Name  
☐ Other:

Execution Date: September 24, 1999

2. Name and address of receiving party(ies):

Name: Coalescent Surgical, Inc.  
Internal Address:  
Street Address: 559 East Weddell Drive  
City: Sunnyvale, State: CA ZIP: 94089

Additional name(s) & address(es) attached? ☐ Yes ☒ No

4. Application number(s) or patent number(s):

If this document is being filed together with a new application, the execution date of the application is:

A. Patent Application No.(s)  
08/781,579

B. Patent No.(s)

Additional numbers attached? ☐ Yes ☒ No

5. Name and address of party to whom correspondence concerning document should be mailed:

Harry Macey  
Morrison & Foerster  $\omega$   
755 Page Mill Road  
Palo Alto, California 94304-1018

6. Total number of applications and patents involved: One (1)

7. Total fee (37 C.F.R. § 3.41): \$40.00

☒ Enclosed  
☐ Authorized to be charged to deposit account, referencing  
Attorney Docket 388402000900

8. Deposit account number: 03-1952

The Commissioner is hereby authorized to charge any fees under 37 C.F.R. § 1.21 that may be required by this paper, or to credit any overpayment to Deposit Account No. 03-1952.

## DO NOT USE/THIS SPACE

9. Statement and signature.

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

Name: Jim Cai  
Registration No: P-44,579

Signature

Date

9/29/99

Total number of pages comprising cover sheet, attachments and document: Four (4)

10/05/1999 MHA11 00000300 08781579

01 F6:581

40.00 DP

Mail documents to be recorded with required cover sheet information to:  
U.S. Patent and Trademark Office  
Office of Public Records  
Box Assignments  
Crystal Gateway 4, Room 335  
Washington, D.C. 20231

pa-414648



SECRETARY OF STATE

I, *BILL JONES*, Secretary of State of the State of California, hereby certify:

That the attached transcript of 2 page(s) was prepared by and in this office from the record on file, of which it purports to be a copy, and that it is full, true and correct.

**IN WITNESS WHEREOF**, I execute this certificate and affix the Great Seal of the State of California this day of

SEP 24 1999



*Bill Jones*

Secretary of State

00522459

2122885-  
AMENDED STATEMENT  
BY  
FOREIGN CORPORATION

FILED  
in the office of the Secretary of State  
of the State of California

MAR 19 1999

Bill Jones  
BILL JONES, Secretary of State

COALESCENT SURGICAL, INC., a corporation organized and existing under the laws of Delaware, and which is presently qualified for the transaction of intrastate business in the State of California, makes the following statement:

That the name of the corporation has been changed to that hereinabove set forth and that the name relinquished at the time of such change was Elective Vascular Interventions, Inc.

COALESCENT SURGICAL, INC.

By: Michael W. Hall

Michael W. Hall, Secretary

State of Delaware  
Office of the Secretary of State

PAGE 1

I, EDWARD J. FREEL, SECRETARY OF STATE OF THE STATE OF  
DELAWARE, DO HEREBY CERTIFY THAT THE SAID "ELECTIVE VASCULAR  
INTERVENTIONS, INC.", FILED A CERTIFICATE OF AMENDMENT, CHANGING  
ITS NAME TO "COALESCENT SURGICAL, INC.", THE TWENTY-SIXTH DAY OF  
FEBRUARY, A.D. 1999, AT 4:30 O'CLOCK P.M.



2777399 8320

991099135

  
Edward J. Freel, Secretary of State

AUTHENTICATION:

DATE:



9627464

03-15-99